

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

ANGEL SULLIVAN-BLAKE and HORACE
CLAIBORNE, on behalf of themselves and
others similarly situated,

Plaintiffs,

v.

FEDEX GROUND PACKAGE SYSTEM,
INC.,

Defendant.

Civil Action No. 2:18-cv-01698-RJC

Judge Robert J. Colville

INTERVENOR, CAUBLE ENTERPRISES, INC.'S MOTION TO
INTERVENE

Cauble Enterprises, Inc. ("CEI"), by and through the undersigned counsel and pursuant to Federal Rule of Civil Procedure 14(a) and 24(b), hereby moves to intervene in order to strike the notices of consent and dismiss *with prejudice* the thirty-three (33) Opt-In Plaintiffs (the "Opt-Ins") who do may not meet the definition of the putative class. While directly employed by CEI, the Opt-Ins may have drove a vehicle weighing 10,000 pounds or less during any work week in which they worked over 40 hours. Furthermore, as the direct employer of the thirty-three (33) opt-ins, and the owner of the vehicles they drove, CEI is better suited to present the MCA exemption defense to this Honorable Court. FedEx Ground Systems, Inc. ("FedEx") has threatened CEI with a lawsuit for indemnity if CEI does not intervene in this case, thus CEI has a substantial interest in this litigation. A memorandum in support is attached hereto, and incorporated herein by reference.

Respectfully submitted,

/s/ John R. Schneider

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CERTIFICATE OF SERVICE

The undersigned does certify that on the 1st day of July, 2021, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the applicable ECF registrants.

The following are those who are currently on the list to receive e-mail notices for this case: Counsel for Plaintiffs:

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